

**SUPREME COURT MINUTES  
WEDNESDAY, MAY 23, 2007  
SAN FRANCISCO, CALIFORNIA**

**S129852**      B166937 Second Appellate District, Div. 6      **PEOPLE v. GILES (DWAYNE)**  
The request for modification of the opinion is denied. The petition for rehearing is denied.

**S150806**      G036911 Fourth Appellate District, Div. 3      **ALCALA (RODNEY JAMES) v.  
S.C. (PEOPLE)**  
Petition for review granted                      (criminal case)  
Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

**S150984**      D046394/D049238/D048111      Fourth Appellate District, Div. 1  
**PEOPLE v. FREEMAN  
(MARILYN KAYE)**  
Petition for review granted                      (criminal case)  
Respondent's petition for review is granted.  
Appellant's petition for review is denied.  
Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

**S150402**      H029345 Sixth Appellate District      **SPIELBAUER (THOMAS) v.  
COUNTY OF SANTA CLARA**

Issues ordered limited.

The issues to be briefed and argued in this case are limited to the following: When a public employee invokes his or her Fifth Amendment right against self-incrimination in a public employer's investigation of the employee's conduct, must the public employer offer immunity from any criminal use of the employee's statements before it can dismiss the employee for refusing to answer questions in connection with the investigation?

**S150445**      F047507 Fifth Appellate District      **PEOPLE v. EVANS (GENE)**  
Review granted/briefing deferred (8.512(d)(2) criminal case)  
Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512(d)(2).) Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Baxter, J., was recused and did not participate.

Votes: George, C. J., Kennard, Werdegar, Chin, Moreno, and Corrigan, JJ.

**S151300**      B177075 Second Appellate District, Div. 8      **PEOPLE v. THOMPSON**  
**(KENNY WARREN)**

Review granted/briefing deferred (8.512(d)(2) criminal case)

Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512(d)(2).) Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

**S151669**      C050332 Third Appellate District      **PEOPLE v. MATYE (RAIF LEE)**

Review granted/briefing deferred (8.512(d)(2) criminal case)

Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512(d)(2).) Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

**S151900**      A111691 First Appellate District, Div. 1      **PEOPLE v. LOPEZ (RODRICO**  
**ANTHONY)**

Review granted/briefing deferred (8.512(d)(2) criminal case)

Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512(d)(2).) Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

**S151979**      F049300 Fifth Appellate District      **PEOPLE v. ROBINSON**  
**(ROBERT EUGENE)**

Review granted/briefing deferred (8.512(d)(2) criminal case)

Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512(d)(2).) Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

**S152669****CITY OF OAKLAND v. S.C.  
(HORNUNG)**

Transferred to CA 1/1, with directions to issue alt. writ.

The matter is transferred to the Court of Appeal, First Appellate District, Division One, with directions to vacate its order denying the petition for writ of mandate and supersedes and to issue an alternative writ to be heard before that court when the proceeding is ordered on calendar.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

**S109983****RAMOS (MARCELINO) ON H.C.**

Dismissed as moot.

The above-entitled case having become moot by petitioner's death on January 22, 2007, as indicated in certified copies of a certificate of death and a physician/coroner's amendment filed with respondent's motion to dismiss, the motion is granted, and the petition is dismissed as moot.

**S141278**

D046692 Fourth Appellate District, Div. 1

**NATIONAL STEEL &  
SHIPBUILDING COMPANY v.  
S.C. (GODINEZ)**

Dismissed and remanded to CA 4/1.

In light of the decision in *Murphy v. Kenneth Cole Productions* (2007) 40 Cal.4th 1094, review in the above-entitled matter is dismissed. (Cal. Rules of Court, rule 8.528(b)(1).)

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

**S141711**

B184760 Second Appellate District, Div. 5

**MILLS (DEBORAH) v. S.C. (BED,  
BATH & BEYOND, INC.)**

Transferred to CA 2/5 after hold.

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Five, with directions to vacate its decision and to reconsider the cause in light of *Murphy v. Kenneth Cole Productions* (2007) 40 Cal.4th, 1094. (Cal. Rules of Court, rule 8.528(d).)

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

**S141820**

D047806 Fourth Appellate District, Div. 1

**ALBERTSONS, INC. v. S.C.  
(WILCOX)**

Dismissed and remanded to CA 4/1.

In light of the decision in *Murphy v. Kenneth Cole Productions* (2007) 40 Cal.4th 1094, review in the above-entitled matter is dismissed. (Cal. Rules of Court, rule 8.528(b)(1).)

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

**S142600**      B187354 Second Appellate District, Div. 4      **CHALECKI (CAROLYN) v. S.C. (STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY)**

Transferred to CA 2/4 after hold.

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Four, with directions to vacate its decision and to reconsider the cause in light of *Murphy v. Kenneth Cole Productions* (2007) 40 Cal.4th, 1094. (Cal. Rules of Court, rule 8.528(d).)

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

**S143850**      B164398/B169083 Second Appellate District, Div. 3      **BULLOCK (JODIE) v. PHILIP MORRIS USA, INC. (PIUZE)**

Transferred to CA 2/3 after hold.

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Three, with directions to vacate its decision and to reconsider the cause in light of the U.S. Supreme Court's decision in *Phillip Morris USA v. Williams* (2007) \_\_ U.S. \_\_ [127 S. Ct. 1057]. (Cal. Rules of Court, rule 8.528(d).)

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

**S144949**      E035739 Fourth Appellate District, Div. 2      **BANDA (MARIA LETICIA) v. RICHARD BAGDASARIAN, INC.**

Transferred to CA 4/2 after hold.

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division Two, with directions to vacate its decision and to reconsider the cause in light of *Murphy v. Kenneth Cole Productions* (2007) 40 Cal.4th, 1094. (Cal. Rules of Court, rule 8.528(d).)

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

**S080638**      **WEBB (DENNIS DUANE) ON H.C.**

Petition for writ of habeas corpus denied (AA)

Petitioner's motion for leave to file videotape exhibit, filed July 16, 1999, is granted.

The petition for writ of habeas corpus, filed July 16, 1999, is denied.

Each claim is denied on the merits. With the exception of subclaim A(3) of the Third Claim, A(2) of the Twenty-ninth Claim, and the Thirtieth Claim, each claim is untimely. Subclaims A(1), A(2), and A(4) of the Third Claim, and subclaim A(1) of the Twenty-ninth Claim, are procedurally barred, separately and independently, because they were not preserved at trial. (*In re Seaton* (2004) 34 Cal.4th 193, 201, fn. 4.) Because they are repetitive of claims raised and rejected on appeal, the following claims are procedurally barred, separately and independently (see *In re Harris, supra*, 5

Cal.4th at pp. 829-841; *In re Waltreus* (1965) 62 Cal.2d 218, 225): Subclaims B(2), B(3), B(4), and B(5) to the extent it refers to the interrogation by Sharon Whitebear, of the Second Claim; subclaims B(2) and B(3) of the Fifth Claim; subclaim B(2) of the Sixth Claim; subclaim B(3) of the Eighth Claim; subclaim B(2)(c) of the Tenth Claim; subclaims B(1) and B(2) of the Eleventh Claim; subclaims B(1) through B(4) of Seventeenth Claim; subclaims B(2), B(3), B(4), and B(6) of the Twentieth Claim; subclaims A(2)(c) and A(2)(e) of the Twenty-first Claim; to the extent it refers to the disproportionate sentence, subclaim B of the Twenty-sixth Claim, and subclaim A(3) of the Twenty-ninth Claim.

Because they could have been, but were not, raised on appeal, the following claims are procedurally barred, separately and independently (see *In re Harris, supra*, 5 Cal.4th at pp. 825, fn. 3, 828-841; *In re Dixon, supra*, 41 Cal.2d at p. 759): Subclaim B(3) of the Fourth Claim; subclaims B(4) and B(5) of the Sixth Claim; subclaims B(2)(a), B(2)(b), and B(3) of the Tenth Claim; the Eighteenth Claim except insofar as it alleges ineffective assistance of counsel; subclaim B(5) of the Twentieth Claim; subclaims A(2)(b), A(2)(d), and A(2)(f) of the Twenty-first Claim; the Twenty-second Claim; subclaims A(1) through A(8) of the Twenty-third Claim; the Twenty-fourth Claim, except insofar as it alleges ineffective assistance of counsel; and the Twenty-fifth Claim.

The following claims that were raised and rejected in a prior petition for writ of habeas corpus are denied as repetitive (see *In re Miller* (1941) 17 Cal.2d 734, 735): Subclaim B(2) of the Second Claim; subclaims B(2) and B(3) of the Fourth Claim; subclaims B(2) and B(3) of the Seventh Claim; subclaims B(1) and B(2) of the Eleventh Claim; subclaims A(1), A(3), A(5), A(8), A(9), A(10), A(11), A(13), and A(14) of the Twelfth Claim; subclaims B(1) through B(6) of the Sixteenth Claim; subclaims B(1) through B(4) of the Seventeenth Claim; subclaim B(2) of the Nineteenth Claim; subclaims B(2), B(3), B(4), and B(6) of the Twentieth Claim; and, except insofar as it alleges ineffective assistance of counsel, the Twenty-fourth Claim.

The following claims that could have been but were not raised on habeas corpus previously are denied on the ground that they are successive (see *In re Clark* (1993) 5 Cal.4th 750, 767-768; *In re Robbins* (1998) 18 Cal.4th 770, 788, fn. 9): the First Claim; subclaims B(3), B(4), B(6), B(7), and B(8) of the Second Claim; subclaims A(1), A(2), A(4), A(5), A(6), and A(7) of the Third Claim; subclaims B(4) and B(5) of the Fourth Claim; subclaims B(2) through B(5) of the Fifth Claim; subclaims B(3) through B(9) of the Sixth Claim; subclaims B(4) through B(7) of the Seventh Claim; subclaims B(2) and B(4) through B(6) of the Eighth Claim; the Ninth Claim; subclaims B(2)(a), B(2)(b), B(2)(c), and B(3) through B(6) of the Tenth Claim; subclaims B(3) through B(6) of the Eleventh Claim; subclaims A(2), A(4), A(6), A(7), A(12), A(15), A(16), A(17) and A(18) of the Twelfth Claim; the Thirteenth Claim; the Fourteenth Claim; the Fifteenth Claim; subclaims B(7) and B(8) of the Sixteenth Claim; subclaims B(5) and B(6) of the Seventeenth Claim; the Eighteenth Claim; subclaims B(3) through B(5) of the Nineteenth Claim; subclaim B(5) of the Twentieth Claim; subclaims A(2)(b) through A(2)(e), and A(3) through A(5) of the Twenty-first Claim; the Twenty-second Claim; the Twenty-third Claim; the Twenty-fourth Claim to the extent it alleges ineffective assistance of counsel; the Twenty-fifth Claim; subclaims (A) and (C) of the Twenty-sixth Claim; the Twenty-seventh Claim; the Twenty-eighth Claim, and subclaim A(1) of the Twenty-ninth Claim.

Justice Werdegar would not hold that any of petitioner's claims are barred under *In re Seaton*, *supra*, 34 Cal.4th at p.201, fn 4.

**S150947** F052109 Fifth Appellate District

Petition for review denied.

**DANLEY (MARK ANTHONY)  
ON H.C.**

**S150990** G036363 Fourth Appellate District, Div. 3

Petition for review denied.

**LAGUNA SEACREST LLC v.  
NUCAPITAL ACCESS GROUP  
(TELNETT LLC)**

**S150995** B189495 Second Appellate District, Div. 6

Petitions for review are denied.

**PEOPLE v. WASHINGTON  
(GLENN)**

**S150998** B197055 Second Appellate District, Div. 7

Petition for review denied.

**FLORES (FIDEL) ON H.C.**

**S151043** A116905 First Appellate District, Div. 3

Petition for review denied.

Kennard, Werdegar, and Moreno, JJ., are of the opinion the petition should be granted.

**ANDRADE (LIBER) ON H.C.**

**S151068** H028165 Sixth Appellate District

Petition for review denied.

Baxter and Corrigan, JJ., were recused and did not participate.

**FRASER (RONALD H.) v. PC-  
TEL, INC. (WELLS FARGO  
BANK MINNESOTA N.A.)**

**S151085** G036535 Fourth Appellate District, Div. 3

Petition for review denied.

**STURM (GREGORY ALLEN) v.  
S.C. (PEOPLE)**

- S151178** C049554 Third Appellate District **PEOPLE v. DUARTE (JOSEPH)**  
The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides, *People v. Alford*, S142508.
- S151187** B194580 Second Appellate District, Div. 7 **GUZZETTA (JERRY) v. W.C.A.B. (CITY OF BELL)**  
Petition for review denied.
- S151203** D049606 Fourth Appellate District, Div. 1 **PEOPLE v. BUSBY (ARDELL)**  
Petition for review denied.
- S151209** E035406 Fourth Appellate District, Div. 2 **PEOPLE v. PHILLIPS (STEVEN WAYNE)**  
Petitions for review denied.
- S151219** F049938 Fifth Appellate District **PEOPLE v. BECK (FLETCHER)**  
Petition for review denied.
- S151224** B189968 Second Appellate District, Div. 4 **PEOPLE v. BATISTE (AARON)**  
Petition for review denied.
- S151242** C047826/C049616 Third Appellate District **YEO LAI SAH BUDDHIST MONASTERY AND ZEN TEMPLE OF AMERICA v. NELIDOV (GEORGE)**  
Petition for review denied.
- S151254** B190697 Second Appellate District, Div. 6 **PEOPLE v. MONCADA (HECTOR)**  
Petition for review denied.

**S151259** D050181 Fourth Appellate District, Div. 1

**EMPLOYEES**

Petition for review denied.

**SAN DIEGO, CITY OF v. S.C.  
(SAN DIEGO CITY  
RETIREMENT SYSTEM)**

**S151278** D046669/D048552 Fourth Appellate District, Div. 1

Petition for review denied.

**PEOPLE v. BADENA (NOE  
AGUAYO)**

**S151283** H029867 Sixth Appellate District

Petition for review denied.

**PEOPLE v. HERNANDEZ  
(GABRIEL)**

**S151292** B190638 Second Appellate District, Div. 3

Petition for review denied.

**PEOPLE v. VALDOVINOS (JOSE  
LUIS)**

**S151336** G038189 Fourth Appellate District, Div. 3

Petition for review denied.

**MACMEEKIN (KEITH) ON H.C.**

**S151337** C054874 Third Appellate District

Petition for review denied.

**CULLEN (REX ALLEN) v. S.C.  
(PEOPLE)**

**S151351** C048560 Third Appellate District

Petition for review denied.

**PEOPLE v. GREGORY (ERIC  
SION)**

**S151361** A110859 First Appellate District, Div. 5

Petition for review denied.

**PEOPLE v. NOEL (PATRICK  
EVERETT)**



**S151398** A116093 First Appellate District, Div. 4

Petition for review denied.

**NAPA VALLEY WINE TRAIN,  
INC. v. P. U. C. (CITY OF ST.  
HELENA)**

**S151434** B186147 Second Appellate District, Div. 3

Petition for review denied.

**PEOPLE v. REESE (CLARENCE  
ERWIN)**

**S151442** D046474 Fourth Appellate District, Div. 1

Petition for review denied.

**STYLES (SHAWN) v. SCHWAB  
(PAUL)**

**S151450** F052347 Fifth Appellate District

Petition for review denied.

**BELLO (ALEJANDRO) ON H.C.**

**S151491** E040223 Fourth Appellate District, Div. 2

Petition for review denied.

**PEOPLE v. HARDEN (ROBERT  
ALLEN)**

**S151494** B197590 Second Appellate District, Div. 2

Petition for review denied.

**ACEVES (MARIA) v. S.C.  
(CATELLUS DEVELOPMENT  
CORPORATION)**

**S151528** B182979/B183592 Second Appellate District, Div. 3 **GILLAN (PATRICK) v. CITY OF  
SAN MARINO**

Petition for review denied.

**S151572** F049371 Fifth Appellate District

**(ERINEO)**

Petition for review denied.

Baxter, J., was recused and did not participate.

**PEOPLE v. QUEVEDO**

**S151578** B196083 Second Appellate District, Div. 6

Petition for review denied.

**CALIFORNIA INSURANCE  
GUARANTEE ASSOCIATION v.  
W.C.A.B. (TEJERA)**

**S151583** G036598 Fourth Appellate District, Div. 3

Petition for review denied.

**PEOPLE v. IZALDO (EDUARDO)**

**S151584** G036120 Fourth Appellate District, Div. 3

Petition for review denied.

**CTX MORTGAGE COMPANY v.  
RODRIGUEZ (MARTHA)**

**S151589** D050572 Fourth Appellate District, Div. 1

Petition for review denied.

**JONES (HARGROVE) v. S.C.  
(AIMCO DBA WINDRIFT  
APARTMENTS)**

**S151593** A116196 First Appellate District, Div. 2

Petition for review denied.

**GIVENS (FRANCOIS P.) ON H.C.**

**S151605** E042558 Fourth Appellate District, Div. 2

Petition for review denied.

**MARTIN (RONNIE S.) ON H.C.**

**S151613** E040107 Fourth Appellate District, Div. 2

Petition for review denied.

**FISHER (MEYER),  
CONSERVATORSHIP OF**

**S151639** A111821 First Appellate District, Div. 4

Petition for review denied.

**ANDERSON (DOROTHY) v.  
CITY OF VACAVILLE  
(TENANTS RESIDING AT CASA  
GRANDE MOBILEHOME  
PARK)**

**S151646** D047508 Fourth Appellate District, Div. 1  
Petition for review denied.

**STYLES (SHAWN H.) v.  
SCHWAB (PAUL E.)**

**S151657** G035003 Fourth Appellate District, Div. 3  
Petition for review denied.

**PEOPLE v. JENSEN (DANIEL  
DWAYNE)**

**S151659** E042577 Fourth Appellate District, Div. 2  
Petition for review denied.

**BILLIEU (BRUCE) ON H.C.**

**S151676** C047112 Third Appellate District  
Petitions for review are denied.

**PEOPLE v. ESTRADA (ALEX  
VILLANUEVA)**

**S151682** E042627 Fourth Appellate District, Div. 2  
Petition for review denied.

**CASTILLO (MARIO) ON H.C.**

**S151760** E039855 Fourth Appellate District, Div. 2  
Petition for review denied.

**SCANE (FRED) v. CITY OF  
MURRIETA (VAN HAASTER)**

**S151763** H029349 Sixth Appellate District  
  
Petition for review denied.  
Corrigan, J., was recused and did not participate.

**COFFMAN SPECIALTIES, INC.  
v. WEST COAST AGGREGATES,  
INC.**

**S151817** B196387 Second Appellate District, Div. 2  
Petition for review denied.

**WILLIAMS (PATRICK) ON H.C.**

**S151821****MORENO (RIGOBERTO) v. S.C.  
(PEOPLE)**

The petition for writ of prohibition is ordered refiled as a petition for review. The application for stay and petition for review is denied.

**S151827** H029840 Sixth Appellate District  
**(TERRY****PEOPLE v. ALDERMAN  
GENE)**

Petition for review denied.

**S151829** C049324 Third Appellate District**PEOPLE v. WADE  
(CHANCELLOR LENARD)**

Petition for review denied.

**S151834** F050464 Fifth Appellate District  
Petition for review denied.**B. (NICHOLAS), IN RE****S151839** G038243 Fourth Appellate District, Div. 3**MUSHTAQ (MOHAMMAD  
AYUB) v. S.C. (SMART DIGITAL  
TECHNOLOGY, INC.)**

Petition for review denied.

**S151841** B194871 Second Appellate District, Div. 2**LAW OFFICES OF JEFFREY L.  
GEREN v. W.C.A.B.**

Petition for review denied.

**S151843** H030840 Sixth Appellate District**GENTILE (GREGORY) v.  
JEMBER (ASHILEW)**

Petition for review denied.

**S151850** C049976 Third Appellate District**PEOPLE v. WADE  
(CHANCELLOR LENARD)**

Petition for review denied.

**S151862** E039487 Fourth Appellate District, Div. 2

Petition for review denied.

**PEOPLE v. POPE (SHIRLEY MARIE)**

**S151872** B186724 Second Appellate District, Div. 2  
v.

Petition for review denied.

**DOUGHERTY (MARY SUZAN)  
DANIEL FREEMAN MARINA  
HOSPITAL**

**S151874** F049635 Fifth Appellate District

Petition for review denied.

**PEOPLE v. ZAPATA (AGUSTINE ALEJANDRO)**

**S151875** H028906/H029991 Sixth Appellate District

Petition for review denied.

**PEOPLE v. RANGEL ANTHONY A.)**

**S151887** C050815 Third Appellate District

Petition for review denied.

**SPENCER (JACKIE) v.  
DEPARTMENT OF WATER  
RESOURCES**

**S151890** A111634 First Appellate District, Div. 2

Petition for review denied.

**PEOPLE v. CRAWFORD  
(CHRISTOPHER LEE)**

**S151891** E042618 Fourth Appellate District, Div. 2

Petition for review denied.

**ROBINSON (JACKIE) v. S.C.  
(PEOPLE)**

**S151898** A112838 First Appellate District, Div. 4

Petition for review denied.

**PEOPLE v. BRANDON (JAMES)**

**S151899** D048648 Fourth Appellate District, Div. 1  
Petition for review denied.

**PEOPLE v. RUIZ (MARICELA)**

**S151909** B197716 Second Appellate District, Div. 3  
Petition for review denied.

**ACEVEDO (JAVIER) ON H.C.**

**S151910** F050915 Fifth Appellate District  
Petition for review denied.

**V. (ALEJANDRO), IN RE**

**S151917** B186405 Second Appellate District, Div. 1  
**WEIDER**  
Petition for review denied.

**ROBINSON (ROBBY) v.  
PUBLICATIONS, INC.**

**S151921** B188814 Second Appellate District, Div. 4  
  
Petition for review denied.

**PEOPLE v. JOHNSON  
(ANTHONY W.)**

**S151931** E039738 Fourth Appellate District, Div. 2  
Petition for review denied.

**PEOPLE v. VARGAS (JUAN)**

**S151942** B188156 Second Appellate District, Div. 5  
  
Petition for review denied.  
The requests for judicial notice are denied.

**AUBRY (ROBERT B.), ESTATE  
OF**

**S151951** G036876 Fourth Appellate District, Div. 3  
  
Petition for review denied.

**PEOPLE v. CATLEY (NORMA  
FLORENTINO)**

**S151953** B187973 Second Appellate District, Div. 2  
  
Petition for review denied.

**PEOPLE v. URIBE (JOSE LUZ  
ROBLES)**

**S151957** E039554 Fourth Appellate District, Div. 2

Petition for review denied.

**PEOPLE v. CASTANEDA  
(MIGUEL MEDINA)**

**S151964** F050692 Fifth Appellate District

Petition for review denied.

**BATTERSON (MARCY L.) v.  
STANISLAUS COUNTY**

**S151978** B186403 Second Appellate District, Div. 3

Petition for review denied.

**BROWN (PETER T.) v.  
NORTHRIDGE EMERGENCY  
MEDICAL GROUP**

**S151983** E041137 Fourth Appellate District, Div. 2

Petition for review denied.

**V. (JEANNA), IN RE**

**S151987** B190858 Second Appellate District, Div. 4

Petition for review denied.

**PEOPLE v. GEORGE (TRAVIS)**

**S151989** C055315 Third Appellate District

Petition for review denied.

**MORENO (RICHARD G.) ON  
H.C.**

**S151991** B189164 Second Appellate District, Div. 2

Petition for review denied.

**PEARL (GARY) v. DEITCH  
(DONNA) (LAW OFFICES OF  
ROSARIO PERRY)**

**S151994** C051677 Third Appellate District

Petition for review denied.

**G. (SEAN), IN RE**

**S151995**      B188593 Second Appellate District, Div. 2

Petition for review denied.

**PEOPLE v. BREWSTER  
(SHERMAINE)**

**S151998**      B193261 Second Appellate District, Div. 2

Petition for review denied.

**BREWSTER (SHERMAINE) ON  
H.C.**

**S152014**      D049591 Fourth Appellate District, Div. 1

Petition for review denied.

**PEOPLE v. LOPEZ (ANTONIO  
P.)**

**S152023**      D047460 Fourth Appellate District, Div. 1

Petition for review denied.

**PEOPLE v. ABUJAWDEH  
(YOUSSEF)**

**S152046**      E040165 Fourth Appellate District, Div. 2

Petition for review denied.

**PEOPLE v. SEAY (CHARLEEN  
HELENE)**

**S152058**      E039022 Fourth Appellate District, Div. 2

Petition for review denied.

**ABF CAPITAL CORPORATION  
v. GROVE PROPERTIES  
COMPANY**

**S152070**      B189670 Second Appellate District, Div. 7  
**(MICHAEL)**

Petition for review denied.

**PEOPLE v. BUTLER**

**S152076**      E037982 Fourth Appellate District, Div. 2

Petition for review denied.

**PEOPLE v. ORTIZ (ANTHONY  
MARK)**



**S152132**      B187957 Second Appellate District, Div. 7

Petition for review denied.

**PEOPLE v. TYLER (MIRON  
JEROME)**

**S152146**      D048813 Fourth Appellate District, Div. 1

Petition for review denied.

**ABUJAWDEH (YOUSSEF) ON  
H.C.**

**S152388**      A117348 First Appellate District, Div. 2

The petition for review is denied. The stay issued by Chief Justice George on May 7, 2007, of all proceedings is hereby dissolved.

Kennard, J., is of the opinion the petition should be granted.

**HUGHES (RENATO) v. S.C.  
(PEOPLE)**

**S152647**      A117182 First Appellate District, Div. 3

Petition for review and application for stay denied.

Werdegarr, J., was recused and did not participate.

**TSMC NORTH AMERICA v. S.C.  
(SEMICONDUCTOR  
MANUFACTURING INT'L. CORP.)**

**S152697**      E042928 Fourth Appellate District, Div. 2

Petition for review and application for stay denied.

**COUNTY OF SAN  
BERNARDINO v. S.C. (SAN  
BERNARDINO SUN)**

**S152773**      A117701 First Appellate District, Div. 3

Petition for review and application for stay denied.

**MORROW (JOSEPH ELI) v. S.C.  
(PEOPLE)**

**S139504**

Petition for writ of habeas corpus denied. The motion for leave to file a second amended petition is denied without prejudice to the filing of a new petition for writ of habeas corpus.

**SATTERFIELD (JAMES) ON  
H.C.**

**S144550**

**CRENSHAW (RALPH EDWARD)  
ON H.C.**

Petition for writ of habeas corpus denied.

**S145833**

**MONROY (JUAN P.) ON H.C.**

Petition for writ of habeas corpus denied.

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**S145840**

**NASIRICHAMPANG  
(SOMCHIT JOY) ON H.C.**

Petition for writ of habeas corpus denied.

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Waltreus* (1965) 62 Cal.2d 218; *In re Dixon* (1953) 41 Cal.2d 756.)

**S145857**

**MUNGUIA (FELIX ALIRIO) ON  
H.C.**

Petition for writ of habeas corpus denied.

**S145923**

**FLOWERS (HENRY DAVID) ON  
H.C.**

Petition for writ of habeas corpus denied.

**S146035**

**WARD (DAVID ALAN) ON H.C.**

Petition for writ of habeas corpus denied.

**S146037****MANUEL (PERRY LEROY) ON H.C.**

Petition for writ of habeas corpus denied.

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756.)**S146092****MARTIN (SAMUEL) ON H.C.**

Petition for writ of habeas corpus denied.

**S146911****VILLANUEVA (PHILLIP) ON H.C.**

Petition for writ of habeas corpus denied.

**S146918****VICKERS (LARRY) ON H.C.**

Petition for writ of habeas corpus denied.

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756.)**S146958****MEREDITH (RODNEY) ON H.C.**

Petition for writ of habeas corpus denied.

**S146963****HUGHES (DAYLEN) ON H.C.**

Petition for writ of habeas corpus denied.

**S146996****MCCORD (MICHAEL ANTHONY) ON H.C.**

Petition for writ of habeas corpus denied.

**S147018****LOBOS (ALLAN) ON H.C.**

Petition for writ of habeas corpus denied.

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**S147025****NATHAN (LORNE RUDRAUFF)  
ON H.C.**

Petition for writ of habeas corpus denied.

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**S147061****BARROW (ANTHONY T.)  
ON H.C.**

Petition for writ of habeas corpus denied.

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**S147421****ARTIGLIO (CARMINE) ON H.C.**

Petition for writ of habeas corpus denied.

**S147480****OLIVERA (EDDIE) ON H.C.**

Petition for writ of habeas corpus denied.

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)**S148032****LYNCH (JOHN) ON H.C.**

Petition for writ of habeas corpus denied.

**S148089****RUFUS (SEVEY S.) ON H.C.**

Petition for writ of habeas corpus denied.

**S148106****ALLEN (MARTY GLEN) ON****H.C.**

Petition for writ of habeas corpus denied.

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Waltreus* (1965) 62 Cal.2d 218; *In re Dixon* (1953) 41 Cal.2d 756.)**S148145****NORIEGA (JAMES MANUEL)  
ON H.C.**

Petition for writ of habeas corpus denied.

(See *In re Swain* (1949) 34 Cal.2d 300, 304.)

**S148151**

Petition for writ of habeas corpus denied.

(See *In re Dixon* (1953) 41 Cal.2d 756; *In re Waltreus* (1965) 62 Cal.2d 218.)**HICKS (RANDOLPH) ON H.C.****S148168**

Petition for writ of habeas corpus denied.

**HER (DAVID) ON H.C.****S148258**

Petition for writ of habeas corpus denied.

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)**HIGHTOWER (TERRELL  
GARY) ON H.C.****S148393**

Petition for writ of habeas corpus denied.

**CRAWLEY (JON) ON H.C.****S148454**

Petition for writ of habeas corpus denied.

**RAMIREZ-SALGADO (JOSE)  
ON H.C.****S148483**

Petition for writ of habeas corpus denied.

Corrigan, J., was recused and did not participate.

**JOHNSON (LAMERLE) ON  
H.C.****S148495**

Petition for writ of habeas corpus denied.

**BRYANT (LOUIS JOSEPH) ON  
H.C.****S148501**

Petition for writ of habeas corpus denied.

**BODDIE (RODERICK) ON H.C.**

**S148504**

Petition for writ of habeas corpus denied.  
(See *In re Clark* (1993) 5 Cal.4th 750.)

**OLIVERA GONZALEZ (JOSE JESUS) ON H.C.****S148509**

Petition for writ of habeas corpus denied.

**HARDY (LAVELL D.) ON H.C.****S148513**

Petition for writ of habeas corpus denied.  
(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

**FLORES (ANGEL) ON H.C.****S148515**

Petition for writ of habeas corpus denied.

**CASTANEDA (SALVADOR) ON H.C.****S148564**

Petition for writ of habeas corpus denied.

**HICKS (RON) ON H.C.****S148572**

Petition for writ of habeas corpus denied.

**ORDEZ (ABEL) ON H.C.****S148573**

Petition for writ of habeas corpus denied.

**REYES (MARTIN) ON H.C.****S148584**

Petition for writ of habeas corpus denied.  
(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756.)

**BAILEY (JOHNEL) ON H.C.****S148597**

Petition for writ of habeas corpus denied.

**CHOUEST (WILSON) ON H.C.**

**S148602**

Petition for writ of habeas corpus denied.  
(See *In re Swain* (1949) 34 Cal.2d 300, 304.)

**RIVERA (JULIO ALFREDO) ON H.C.****S148606**

Petition for writ of habeas corpus denied.  
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**WILLIAMS (JOSEPH) ON H.C.****S148619**

Petition for writ of habeas corpus denied.

**ROJAS (PAUL) ON H.C.****S148640**

Petition for writ of habeas corpus denied.  
(See *In re Swain* (1949) 34 Cal.2d 300, 304.)

**STEPHEN (JIMMIE) ON H.C.****S148665**

Petition for writ of habeas corpus denied.

**MARTINEZ (BERNARDO) ON H.C.****S148675**

Petition for writ of habeas corpus denied.

**JARAMILLO (ARNOLD GARCIA) ON H.C.****S148677**

Petition for writ of habeas corpus denied.

**SHABAZZ (AMIR) ON H.C.****S148681**

Petition for writ of habeas corpus denied.

**SANCHEZ (SAMUEL) ON H.C.****S148684**

Petition for writ of habeas corpus denied.

**NGO (SIEU) ON H.C.**

**S148710**

Petition for writ of habeas corpus denied.  
(See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**ARCHILA (JOEVANE) ON H.C.****S148713**

Petition for writ of habeas corpus denied.

**FRANCO (ALFREDO) ON H.C.****S148803**

Petition for writ of habeas corpus denied.  
(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304.)

**CLARKE (MARLON) ON H.C.****S148815**

**H.C.**  
Petition for writ of habeas corpus denied.  
(See *In re Dixon* (1953) 41 Cal.2d 756; *In re Waltreus* (1965) 62 Cal.2d 218.)

**ALLEN (MARTY GLEN) ON****S148823**

Petition for writ of habeas corpus denied.  
(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**GONZALEZ (CATARINO) ON  
H.C.****S148829**

Petition for writ of habeas corpus denied.

**FLORES (DAVID) ON H.C.****S148834**

Petition for writ of habeas corpus denied.

**STOTTS (LEROY) ON H.C.****S148836**

Petition for writ of habeas corpus denied.  
(See *In re Waltreus* (1965) 62 Cal.2d 218.)

**VILLALOBOS (MARCOS  
ANTONIO) ON H.C.**



**S148837**

Petition for writ of habeas corpus denied.

**GAVALDON (ANTHONY JAY)  
ON H.C.****S148860** A115459 First Appellate District, Div. 2

Petition for writ of habeas corpus denied.

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**SMITH (DAVID C.) ON H.C.****S148882**

Petition for writ of habeas corpus denied.

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**ARMENTERO (LUIS) ON H.C.****S148891**

Petition for writ of habeas corpus denied.

**DEBOES (WARREN) ON H.C.****S148908**

Petition for writ of habeas corpus denied.

**LUCAS (LAMONT C.) ON  
H.C.****S148939**

Petition for writ of habeas corpus denied.

**MUNRO (JAMES) ON H.C.****S149029**

Petition for writ of habeas corpus denied.

(See *In re Miller* (1941) 17 Cal.2d 734.)**SANCHEZ (SAMUEL) ON H.C.****S150381**

Petition for writ of habeas corpus denied.

**JACOBS (GEORGE E.) ON H.C.****S150883**

Petition for writ of habeas corpus denied.

(See *In re Dexter* (1979) 25 Cal.3d 921.)**BELTON (LARRY E.) ON H.C.**

**S151040**

Petition for writ of habeas corpus denied.  
(See *In re Dexter* (1979) 25 Cal.3d 921.)

**JACOBS (GEORGE E.) ON H.C.****S151116**

Petition for writ of habeas corpus denied.  
(See *In re Clark* (1993) 5 Cal.4th 750.)

**CHOUEST (WILSON) ON H.C.****S151517**

Petition for writ of habeas corpus denied.

**HERNANDEZ (ISRAEL) ON H.C.****S151569**

Petition for writ of habeas corpus denied.

**THOMAS (ROBERT) ON H.C.****S151622**

Petition for writ of habeas corpus denied.  
(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dexter* (1979) 25 Cal.3d 921.)

**WRIGHT (GARY) ON H.C.****S151914**

Petition for writ of habeas corpus denied.

**GREENLEE (CHRISTOPHER)  
ON H.C.****S151916**

Petition for writ of habeas corpus denied.  
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Lessard* (1965) 62 Cal.2d 497, 503; *In re Dixon* (1953) 41 Cal.2d 756.)

**TURNER (ANTHONY  
RICHARDO G.) ON H.C.****S151948**

Petition for writ of habeas corpus denied.  
(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dexter* (1979) 25 Cal.3d 921.)

**OLIVER (ANTHONY WAYNE)  
ON H.C.**

**S151992**

Petition for writ of habeas corpus denied.  
(See *In re Dixon* (1953) 41 Cal.2d 756.)

**POULSOM (MICHAEL) ON H.C.****S152055**

Petition for writ of habeas corpus denied.  
(See *In re Dixon* (1953) 41 Cal.2d 756.)

**RESTREPO (DARIO) ON H.C.****S152085**

Petition for writ of habeas corpus denied.  
(See *In re Dexter* (1979) 25 Cal.3d 921.)

**PEREZ (MARIO) ON H.C.****S152120**

Petition for writ of habeas corpus denied.  
(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921.)

**SIMPSON (COLTON) ON H.C.****S152457**

Petition for writ of habeas corpus denied.  
(See *In re Dexter* (1979) 25 Cal.3d 921.)

**JACOBS (GEORGE E.) ON H.C.****S152495**

Petition for writ of habeas corpus denied.

**TRAVIS (RAY) ON H.C.****S151745**      G034963 Fourth Appellate District, Div. 3**CIRAULO (JOSEPH) v. CITY OF  
NEWPORT BEACH**

Depublication ordered.

The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above-entitled appeal filed January 17, 2007, which appears at 147 Cal.App.4th 838. (Cal. Const., art. VI, section 14; rule 8.1125(c)(1), Cal. Rules of Court.)

**S150508**      F051548 Fifth Appellate District**PUGA (MARIA ARROYO) v.  
W.C.A.B. (ZACKY FARMS)**

Publication request denied (case closed).

**S151256**      B190041 Second Appellate District, Div. 1

Publication request denied (case closed).

**BURNETT (MARK & DIANNE J.), MARRIAGE OF**

**S151444**      F050440 Fifth Appellate District

Depublication request denied (case closed).

**KERN, COUNTY OF v. SPARKS (CARL)**

**S151650**      D046757 Fourth Appellate District, Div. 1

Depublication request denied (case closed).

**PEOPLE v. GOODWILLIE (MARKUS D.)**

**S151930**      B188973 Second Appellate District, Div. 2

Publication request denied (case closed).

**GLENMAT PROPERTIES LLC v. PIONEER CENTER LLC**

**S142741**

**CLARK (ROYAL) ON H.C.**

Extension of time granted to July 23, 2007, to file the reply to the informal response to the petition for writ of habeas corpus. After that date, only two further extensions totaling about 90 additional days will be granted. Extension is granted based upon counsel Lorena M. Chandler's representation that she anticipates filing that document by October 19, 2007.

**S126032**

**CORNWELL (GLENN) ON H.C.**

Motion denied.

The "Motion for Leave to File Supplemental Petition for Writ of Habeas Corpus," filed on May 7, 2007, is denied. The clerk is directed to file, as a new original habeas corpus petition nunc pro tunc as of that date, the document entitled "Supplemental Petition for Writ of Habeas Corpus," submitted with the motion.

**S134545** B178101 Second Appellate District, Div. 8**CATHOLIC MUTUAL RELIEF  
SOCIETY v. S.C. (ROMAN  
CATHOLIC ARCHDIOCESE OF  
SAN DIEGO)**

Order filed.

The request of Catholic Mutual Relief Society and Catholic Relief Insurance Company of America to stay proceedings in the above-captioned matter pending further order of the United States Bankruptcy Court, Southern District of California, in bankruptcy case number 07-00939-11, is denied. Oral argument in this matter will proceed as scheduled on May 30, 2007.

**S141480****MARTINEZ (OMAR FUENTES)  
ON H.C.**

Order filed.

“Petitioner’s First Application for Extension of Time to File Petitioner’s Reply/Traverse to Respondent’s Return,” filed on May 2, 2007, is granted as follows: Petitioner’s reply is to be served and filed 30 days after the finality of the United States Supreme Court’s decision in *Medellin v. Texas*, 06-984. Respondent will have 30 days after the filing of petitioner’s reply to serve and file a supplemental return addressing the effect of the Medellin decision on this case.

**S147688****VIEIRA (RICHARD JOHN) ON  
H.C.**

Motion denied.

Petitioner’s related automatic appeal (S026040) having become final on June 28, 2005, respondent’s “Request for Sealed Records Pursuant to Penal Code Section 987.9, subdivision (d),” filed on March 2, 2007, is denied without prejudice, subject to refileing the request in the superior court, because the appellate record does not contain any such records.

**S147749****HOLLOWAY (DUANE) ON H.C.**

Motion denied.

Petitioner’s related automatic appeal (S029550) having become final on September 1, 2004, respondent’s “Request for Sealed Records Pursuant to Penal Code Section 987.9, subdivision (d),” filed on January 25, 2007, is denied without prejudice, subject to refileing the request in the superior court, because the appellate record does not contain any such records.